

Application No. 10/625,060
Art Unit 1774, Examiner Gray
Confirmation No. 8260
Docket No. CL-1833 US NA
June 11, 2007
Page No. 2 of 7

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Amendments

Please amend this application with respect to the matters set forth on separate pages below concerning the claims:

In the Claims:

Please (a) rewrite Claim 1, and (b) cancel Claims 9 and 10 without prejudice to or disclaimer of the subject matter thereof.

The requested amendments to Claim 1 are shown below in the attached **Appendix A** (pages 6~7) in a marked-up version of that claim, as required by 37 CFR §1.121(c). Deletions are shown by strike-through, and additions are shown by underlining. A complete listing of all other claims indicating the status thereof is also shown in **Appendix A**.

Application No. 10/625,060
Art Unit 1774, Examiner Gray
Confirmation No. 8260
Docket No. CL-1833 US NA
June 11, 2007
Page No. 3 of 7

Remarks: General

The claims have been amended by rewriting Claim 1 to incorporate therein the limitations of Claim 10. No new matter is added by this amendment. In addition, Claims 9 and 10 have been canceled without prejudice to or disclaimer of the subject matter thereof.

A request for continued examination under 37 CFR §1.114 is enclosed, the fee for which should be charged to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

By Applicant's calculation, no fee is due by reason of this amendment to the claims. If any fee other than or in addition to that mentioned specifically above is required to authorize or obtain consideration of this response, please charge such fee to Deposit Account No. 04-1928.

Claims 1, 3-6, 11-12 and 43-47 are now active in the application. Applicant hereby requests reconsideration and further examination of the application in view of the reasons it has set forth below for allowance of the claims.

Application No. 10/625,060
Art Unit 1774, Examiner Gray
Confirmation No. 8260
Docket No. CL-1833 US NA
June 11, 2007
Page No. 4 of 7

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Remarks: Detailed Action

The Examiner has rejected Claims 1, 3~6, 9~12 and 43~47 under 35 U.S.C. §103(a) as being unpatentable over WO 03/008680 ("Sen") in view of WO 93/15251 ("Gessner"). Claims 9 and 10 have been cancelled.

Applicant respectfully submits that the subject matter presently claimed is not obvious over a combination of Sen and Gessner because they do not teach or disclose a fiber in that includes a segmented thermoplastic, elastomeric polymer and a thermoplastic, elastomeric propylene homopolymer wherein the thermoplastic, elastomeric propylene homopolymer is dispersed in a matrix of the segmented thermoplastic, elastomeric polymer.

Where Gessner mentions, on page 11 for example, a blend of various kinds of copolymers with a thermoplastic polymer such as "polypropylene", there is no suggestion of selecting for such purpose the type of propylene homopolymer that is included in Applicant's fiber, or that the propylene homopolymer should be dispersed in a matrix of the segmented thermoplastic, elastomeric polymer.

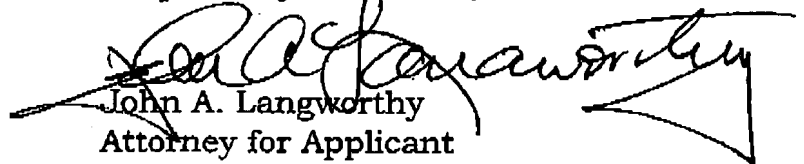
Remarks previously made of record are incorporated in their entirety as a part hereof for all purposes.

In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejection of the pending claims under 35 U.S.C. §103(a).

Application No. 10/625,060
Art Unit 1774, Examiner Gray
Confirmation No. 8260
Docket No. CL-1833 US NA
June 11, 2007
Page No. 5 of 7

In view of the foregoing, Applicant submits that all of the Examiner's objections and rejections have been properly traversed, and that the pending claims are in condition for allowance, request for which is hereby respectfully made.

Respectfully submitted,



John A. Langworthy

Attorney for Applicant

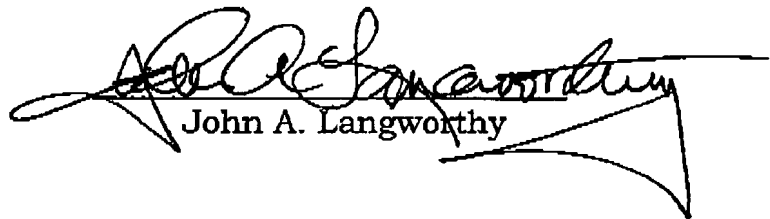
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Date: June 11, 2007



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Application No. 10/625,060
Art Unit 1774, Examiner Gray
Confirmation No. 8260
Docket No. CL-1833 US NA
June 11, 2007
Page No. 6 of 7

Appendix A

(i) Amendments
in marked-up form to Claim 1, and

(ii) Status of all other claims

1. (currently amended) A fiber comprising (a) a segmented thermoplastic, elastomeric polymer selected from the group consisting of poly(ether ester), poly(ester ester), poly(ester amide), and poly(ether amide), and (b) an uncrosslinked ~~propylene~~-thermoplastic, elastomeric propylene homopolymer characterized by a crystallinity of from about 10 to about 40% and an end of melting at about 160°C as determined by differential scanning calorimetry, wherein the ~~propylene~~-thermoplastic, elastomeric propylene homopolymer is dispersed in a matrix of the segmented thermoplastic, elastomeric polymer.

2. (cancelled).

3. (previously presented) A fiber according to Claim 1 wherein the segmented thermoplastic, elastomeric polymer is poly(ether ester).

4. (previously presented) A fiber according to Claim 1 wherein the segmented thermoplastic, elastomeric polymer is poly(ester ester).

5. (previously presented) A fiber according to Claim 1 wherein the segmented thermoplastic, elastomeric polymer is poly(ester amide).

6. (previously presented) A fiber according to Claim 1 wherein the segmented thermoplastic, elastomeric polymer is poly(ether amide).

7. (cancelled).

Application No. 10/625,060
Art Unit 1774, Examiner Gray
Confirmation No. 8260
Docket No. CL-1833 US NA
June 11, 2007
Page No. 7 of 7

8. (cancelled)

9. (cancelled).

10. (cancelled).

11. (previously presented) A fiber according to Claim 10 wherein the propylene homopolymer comprises crystalline segments of isotactic polypropylene and amorphous segments of atactic polypropylene.

12. (previously presented) A fiber according to Claim 1 which comprises the propylene polymer in an amount of from about 3% to about 80% by weight.

13 ~ 42. (canceled).

43. (previously presented) A yarn prepared from a fiber according to Claim 1.

44. (previously presented) A fabric prepared from a fiber according to Claim 1.

45. (previously presented) A garment prepared from a fiber according to Claim 1.

46. (previously presented) In an article for human hygiene, a stretchable band prepared from a fiber according to Claim 1.

47. (previously presented) A fiber according to Claim 1 further comprising a surfactant or compatibilizer.

48 ~ 49. (canceled).